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NASA Policy Directive

COMPLIANCE IS MANDATORY

NPD 3713.21

Effective Date: August 17,
2010

Expiration Date: August 17,
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[Printable Format \(PDF\)](#)

Request Notification of Change

(NASA Only)

Subject: Federal EEO Programs of NASA

Responsible Office: Office of Diversity and Equal Opportunity

[Anti-Harassment Procedure Guidance \(March 4, 2010\), NM 3713-88 \(NASA Only\)](#)

[NASA Policy Statement on Anti-Harassment \(January 4, 2011\), NM 3713-92 \(NASA Only\)](#)

[NASA Policy Statement on Equal Employment Opportunity \(January 4, 2011\), NM 3713-93 \(NASA Only\)](#)

[Recently Enacted Civil Rights Laws and New EEO Regulations \(April 2, 2009\), NM 3713-76 \(NASA Only\)](#)

1. POLICY

- a. It is NASA's policy to provide equal employment opportunity (EEO) for all employees and applicants for employment regardless of race, color, national origin, sex, religion, age, disability, genetic information, sexual orientation, status as a parent, or gender identity. Pursuant to this policy, NASA prohibits discrimination on these bases in the workplace and the Agency's employment practices. NASA strives to provide and maintain a work environment that is free of all forms of discrimination, including discriminatory harassment, as well as reprisal or retaliation for engaging in protected EEO activity. NASA also seeks to address harassing conduct at the earliest possible stage, before it can become severe or pervasive.
- b. It is also NASA's policy to promote the full realization of EEO through a continuing effort to establish and maintain a "Model EEO Agency," as required under the U.S. Equal Employment Opportunity Commission's (EEOC) Management Directive (MD) 715. MD-715 provides policy guidance and standards for establishing and maintaining effective affirmative programs of EEO under Title VII of the Civil Rights Act of 1964 and related antidiscrimination laws. NASA is fully committed to implementing all Federal laws, regulations, and EEOC guidance relative to the development of Model EEO Agency Plans and annual reporting of accomplishments against those plans. c.

Pursuant to MD-715, NASA's efforts to be a model Agency for EEO include identification of and strategies to remove deficiencies in EEO programs and barriers to EEO in any aspect of Agency policies, programs, or practices including, but not limited to, outreach and recruiting, hiring, promoting, training, awareness, and facilities and program accessibility for employees of NASA. Model EEO Agency efforts also include monitoring of strategies and employment practices in the areas of hiring, transfers, reassignments, promotions, awards, benefits, and separations. These efforts are undertaken to help gain and maintain a talented NASA workforce that is reflective of the Nation's demographic diversity.

2. APPLICABILITY

This NASA Policy Directive (NPD) is applicable to NASA Headquarters and Centers, including Component Facilities and Technical and Service Support Centers.

3. AUTHORITY

- a. Equal Pay Act of 1963, as amended, 29 U.S.C. § 206(d).
- b. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-16 et seq.
- c. Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621 et seq.
- d. Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791 et seq.
- e. Civil Rights Act of 1991, 42 U.S.C. § 1981a.
- f. Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, 5 U.S.C. § 2301 note.
- g. Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff et seq.
- h. Exec. Order No. 11,478, as amended, 3 C.F.R. 803 (1966-1970).
- i. Exec. Order No. 12,106, as amended, 3 C.F.R. 263 (1978-1979).
- j. Exec. Order No. 13,087, 3 C.F.R. 191 (1998).
- k. Exec. Order No. 13,152, 3 C.F.R. 264 (2001).
- l. NPD 1000.3D, The NASA Organization

4. APPLICABLE DOCUMENTS

- a. NPD 3713.6, Delegation of Authority to Act in Matters Pertaining to Discrimination Complaints under 29 C.F.R. Part 1614.
- b. NASA Procedural Requirements (NPR) 3713.2, Alternative Dispute Resolution in Matters Pertaining to Discrimination Complaints under 29 C.F.R. Part 1614.
- c. NPR 3713.3, Anti-Harassment Procedures.
- d. NPD 3713.8, Reasonable Accommodations Policy.
- e. NPR 3713.1, Reasonable Accommodations Procedures.

f. Equal Employment Opportunity Commission Management Directive 715.

5. RESPONSIBILITY

a. Officials-in-Charge of Headquarters Offices, including Associate Administrators, and NASA Center Directors:

(1) Shall exercise personal leadership in establishing, maintaining, and implementing a continuing EEO program to promote EEO in every aspect of Agency human capital policy and practice in the employment, development, advancement, and treatment of employees.

(2) Shall be held accountable for maintaining an environment in which equality of opportunity can flourish within their programs, missions, or organizations; for adhering to and helping to advance NASA's Model EEO Agency plan goals and objectives; and for ensuring that NASA and its representatives do not support or participate in unlawful discrimination.

b. The Associate Administrator for Diversity and Equal Opportunity shall advise and take whatever action is required in accordance with NPD 1000.3, The NASA Organization and other relevant policy, including but not limited to, NPD 3713.6, Delegation of Authority to Act in Matters Pertaining to Discrimination Complaints under 29 C.F.R. Part 1614, NPR 3713.2, Alternative Dispute Resolution in Matters Pertaining to Discrimination Complaints under 29 C.F.R. Part 1614, NPR 3713.3, Anti- Harassment Procedures, NPD 3713.8, Reasonable Accommodations Policy, NPR 3713.1, Reasonable Accommodations Procedures, the NASA Policy Statement of EEO, and the NASA Policy Statement on Anti-Harassment.

c. NASA managers and supervisors shall be responsible for implementing this policy. Performance planning and the annual appraisal process will include any general and/or specific requirements (from the Model EEO Agency Plan, related policies, and respective Center Model EEO Plans) for implementing the policy.

d. Every NASA employee is responsible for adhering to NASA's nondiscrimination and anti-harassment policies. All employees, including NASA managers and supervisors, are required to adhere to the Agency's standards of conduct with respect to EEO in the workplace.

6. DELEGATION OF AUTHORITY

The Associate Administrator for Diversity and Equal Opportunity (AA,ODEO) is delegated the authority for establishing and maintaining effective affirmative programs of EEO under Federal anti-discrimination laws. The AA, ODEO, is also delegated the authority for ensuring, in strategic partnership with key stakeholders, such as the Offices of Education, the Office of the General Counsel, and the Office of Human Capital Management, that NASA meets all requirements relative to the NASA Model EEO Agency Plan and related Agency policies and programs.

7. MEASUREMENTS

a. The AA, ODEO, monitors progress, evaluates results, initiates corrective actions, and periodically reports outcomes of such processes with key Agency managers, Human Resources Directors, and Equal Opportunity Directors.

b.The NASA Administrator submits annual plans and accomplishment reports to the following regulatory or oversight agencies:

1) The Equal Employment Opportunity Commission (EEOC)--NASA's Model EEO Agency Plan. This plan, required pursuant to EEOC MD 715, runs in three- year cycles. An accomplishment report is required annually.

(2) The Office of Personnel Management--Disabled Veterans Affirmative Action Program Report. This reflects NASA's affirmative employment plans and accomplishment reports relative to recruitment, hiring, placement, and advancement of disabled veterans, particularly with 30-percent or more disability.

(3) The Office of Personnel Management--Federal Equal Opportunity Recruitment Program Report. This report reflects NASA's compliance with the Federal EO Recruitment Program requirements and how well the Agency is able to recruit and hire minorities, women, individuals with disabilities, and disabled veterans.

8. CANCELLATION

NPD 3713.2H, Federal Equal Opportunity Programs of NASA, dated December 6, 1999.

ATTACHMENT A: (TEXT)

None.

/s/Charles F. Bolden, Jr.

Administrator

(URL for Graphic)

None.

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